## BASS, BERRY & SIMS PLC

A PROFESSIONAL LIMITED LIABILITY COMPANY ATTORNEYS AT LAW

December 29, 1999

T. G. PAPPAS 2700 FIRST AMERICAN CENTER
TEL: (615)742-6242 NASHVILLE, TENNESSEE 37238-2700
FAX: (615) 742-2742 (615) 742-6200

EMAIL: tgpappas@bassberry.co

KNOXVILLE OFFICE: 1700 RIVERVIEW TOWER KNOXVILLE, TN 37901-1509 (423) 521-6200

MEMPHIS OFFICE:
119 S. MAIN STREET, SUITE 500
MEMPHIS, TN 38103

EXEC. SECRETARY OFF.

BEC 24 1999

TN REGULATORY AUTHORITY

ORIGINAL

Mr. K. David Waddell Executive Secretary Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243-0500

RE: 2<sup>nd</sup> Century Communications, Inc.

Docket No. #99-00632

Dear Mr. Waddell:

We filed a Petition to Intervene in the above-styled case on October 13, 1999, for the four TDS Telecom Companies. On October 15, 1999, we received a copy of a letter addressed to you from Mr. H. LaDon Baltimore, counsel for 2<sup>nd</sup> Century Communications, Inc., in which he wanted "... to clarify that it does not intend to offer local exchange telecommunications services in areas in Tennessee served by any rural telephone company, as its term is defined in 47 U.S.C. § 153(37), and any incumbent local exchange company ("ILEC") with fewer than 100,000 total access lines as set forth in Tennessee Code Ann. § 65-4-201(d)." On December 7, 1999 the TRA granted our petition to intervene.

I was asked by Mr. Carsie Mundy of the TRA staff to state our position in this matter. I have advised Mr. Carsie Mundy that our participation will be limited to that of an observer since the representation of the October 15, 1999 letter made by the applicant is in line with our position on this issue. We do not plan to offer testimony at this time as long as the position of the applicant remains the same.

If you have any further questions, please do not hesitate to let me know.

T. G. Pappas

Very truly yours

TGP/br#2077945

FILE

cc: Richard Collier, Esq. H. LaDon Baltimore, Esq. Carsie Mundy John D. Feehan

